

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON; STATE OF
CONNECTICUT; STATE OF MARYLAND;
STATE OF NEW JERSEY; STATE OF NEW
YORK; STATE OF OREGON;
COMMONWEALTH OF
MASSACHUSETTS; COMMONWEALTH
OF PENNSYLVANIA; and the DISTRICT
OF COLUMBIA,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
STATE; MICHAEL R. POMPEO, in his
official capacity as Secretary of State;
DIRECTORATE OF DEFENSE TRADE
CONTROLS; MIKE MILLER, in his official
capacity as Acting Deputy Assistant Secretary
of Defense Trade Controls; SARAH
HEIDEMA, in her official capacity as Director
of Policy, Office of Defense Trade Controls
Policy; DEFENSE DISTRIBUTED; SECOND
AMENDMENT FOUNDATION, INC.; and
CONN WILLIAMSON,

Defendants.

NO.

CERTIFICATION OF COMPLIANCE
CR 65(b)(1) NOTICE TO COUNSEL

I, Jeffrey T. Sprung, declare as follows:

1. I am over the age of 18 and have personal knowledge of all the facts stated herein.

1 2. I am counsel of record for the State of Washington. On July 30, 2018, I spoke by
2 telephone with Josh Blackmun, an attorney for Defense Distributed, the Second Amendment
3 Foundation, and Conn Williamson. Mr. Blackman's telephone number is (202) 294-9003, and
4 his e-mail address is joshblackman@gmail.com. His address is 1303 San Jacinto St., Houston,
5 TX 77002.

6 3. I advised Mr. Blackman that the State of Washington is filing suit today against
7 the U.S. Department of State and several federal officials in connection with the decision to
8 remove Defense Distributed's software code for the production of 3-D printed firearms and other
9 materials from the U.S. Munitions List. I further advised him that Washington also is naming as
10 defendants Defense Distributed, Second Amendment Foundation, and Conn Williamson, and
11 that Washington will seek a temporary restraining order.

12 4. I advised Mr. Blackman that Washington is seeking hearing on its motion for
13 temporary restraining order tomorrow, July 31, 2018.

14 5. In our telephone conversation, Mr. Blackman agreed to accept service of the
15 summons, complaint, motion for temporary restraining order, and the others papers Washington
16 is filing today, on behalf of Defense Distributed, Second Amendment Foundation, and Conn
17 Williamson. I notified Mr. Blackman that Washington would serve him today by e-mail and
18 overnight mail with the complaint, motion for temporary restraining order, and related filings.

19 4. I confirmed this information in an e-mail to Mr. Blackman sent at 12:34 p.m. P.T.
20 on July 30, 2018. Mr. Blackman responded by e-mail, indicating that he had received my e-mail.
21 A true and correct copy of this e-mail exchange is attached as Exhibit 1.

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23 //

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I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 30th day of July, 2018, at Seattle, Washington.

/s/ Jeff Sprung

JEFF SPRUNG

Assistant Attorney General

DECLARATION OF SERVICE

I hereby certify that on July 30, 2018, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will serve a copy of this document upon all counsel of record.

DATED this 30th day of July, 2018, at Olympia, Washington.

/s/ Jennifer D Williams

JENNIFER D. WILLIAMS

Paralegal

Exhibit 1

From: Josh Blackman <joshblackman@gmail.com>

Sent: Monday, July 30, 2018 12:37 PM

To: Sprung, Jeff (ATG) <JeffS2@ATG.WA.GOV>

Cc: Williams, Jennah (ATG) <JennahW@ATG.WA.GOV>; Bowers, Todd (ATG) <ToddB@ATG.WA.GOV>; Rupert, Jeffrey (ATG) <JeffreyR2@ATG.WA.GOV>; Beneski, Kristin (ATG) <KristinB1@ATG.WA.GOV>; Joel Ard <joel.ard@immixlaw.com>; Alan Gura <Alan@guraplhc.com>; Goldstein, Matthew A. <mgoldstein@swlaw.com>

Subject: Re: acceptance of service of summons, complaint, and related papers in lawsuit led by Washington Attorney General's Office

Thank you. You plan to file at 6:30 CT/4:30 PT?

I have copied my co-counsel.

Josh Blackman

<http://JoshBlackman.com>

**Unprecedented: The Constitutional Challenge to Obamacare
Unraveled: Obamacare, Religious Liberty, & Executive Power**

On Mon, Jul 30, 2018 at 3:34 PM, Sprung, Jeff (ATG) <JeffS2@atg.wa.gov> wrote:

Mr. Blackman: This confirms our telephone conversation earlier today. The State of Washington is filing suit today against the U.S. Department of State and several federal officials in connection with the decision to remove Defense Distributed's software code for the production of 3-D printed firearms and other materials from the U.S. Munitions List. It also is naming as defendants Defense Distributed, Second Amendment Foundation, and Conn Williamson. You agreed to accept service of the summons and complaint, and the others papers we are filing today, on behalf of Defense Distributed, Second Amendment Foundation, and Conn Williamson. We will serve them by e-mail and overnight mail; contact us if you require a different form of service.

I stated that Washington will seek a temporary restraining order against the defendants, and that we will ask for a hearing on our motion tomorrow, July 31, 2018. You advised me that you will generally be available by telephone for a hearing on our motion. You are required to comply with local rule 83.1(d) for the Western District of Washington regarding participating in this case *pro hac vice*. Given the urgency of our motion for temporary restraining order, Washington will not object to your appearing for the argument, if one occurs tomorrow, on behalf of the three non-governmental defendants, although of course we have no power to waive the local rules.

Thanks. Jeff Sprung

Jeff Sprung | Assistant Attorney General
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